

REMARKS

Claims 1-123 are pending in this application. Claims 1-123 stand rejected.

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

In its decision of November 24, 2008, the Board of Patent Appeals and Interferences rejected the claims 1-70 and 121 previously submitted on this application under 35 U.S.C. §112 second paragraph as being indefinite. These claims have been withdrawn.

Further, in its decision of November 24, 2008, the Board of Patent Appeals and Interferences rejected the claims 119, 120, 122, and 123 previously submitted on this application under 35 U.S.C. §101 as being directed to non-statutory subject matter and under 35 U.S.C. §103(a) as being unpatentable over Spencer and Barney. These claims have been withdrawn.

Applicants now submit new claims for examination, set forth below.

Addressing the Board of Patent Appeals and Interferences rejection of the earlier claims under 35 U.S.C. §112, Applicants respectfully submit that the new claims do not invoke 35 U.S.C. §112 sixth paragraph, and are adequately supported by the specification.

Addressing the Board of Patent Appeals and Interferences rejection of the earlier claims under 35 U.S.C. §101, Applicants believe that the methods claimed in new claims 124 through 127 satisfy the requirements for statutory subject matter as laid out by the Federal Circuit in *In re Bilski*. Specifically, Applicants have made clear through their new claims that such methods are tied to particular machines. Similarly, Applicant believes that statutory subject matter is claimed in the new claims 128 through 134.

Addressing the Board of Patent Appeals and Interferences rejection of the earlier claims

under 35 U.S.C. §103(a) as being unpatentable over Spencer and Barney, Applicants believe that the new claims contain elements that are not disclosed or suggested by the combination of Barney and Spencer.

The new claims contain no new matter.

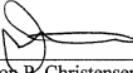
Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

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